

Who do our genes belong to?

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Investors in pharmaceutical, medical and biotechnological industries should not be able to patent genes that are identical to naturally occurring sequences, according to an Australian National University biotechnology patent expert.

Dr Luigi Palombi, who appeared on the ABC's *Four Corners* program discussing gene patents, argues that a system which recognises a [genetic sequence](#) right (GSR) would make it easier for scientists to carry out their research that would, ultimately, benefit society.

“The current [patent system](#) does not encourage innovation in Australian biotechnology,” said Dr Palombi, who is the project director of the Genetic Sequence Right Project at the Centre for Governance of Knowledge and Development at ANU.

“Scientists and researchers should not be limited in their endeavours to innovate and overcome the causes of human disease and illness.

“Clearly, there is logic in the argument that patents help to encourage innovation, but the patent system has inherent limitations, one of which is that the subject of the patent must be an ‘invention’. The use of genetic sequences which are identical to naturally occurring sequences should not be controlled or come under the ownership of any one organisation or person.”

Dr Palombi said the GSR holder would be recognised as being the first to enable the publication of new genetic materials and their function and,

therefore, entitled to receive GSR revenue for their disclosure.

“Irrespective of whether a genetic sequence is an invention or not, the elucidation of a genetic sequence and the identification of its function is important work that should be encouraged,” Dr Palombi said.

Provided by Australian National University

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